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**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO DIVISION**

In re: OPENWAVE SYSTEMS, INC.  
SHAREHOLDER DERIVATIVE  
LITIGATION

Master File No. 06-CV-03468-SI

**STIPULATION AND [PROPOSED]  
ORDER TO EXTEND TIME**

This Document Relates To:

ALL ACTIONS

1 WHEREAS, on December 29, 2006, plaintiffs filed a Consolidated Verified Shareholders  
2 Derivative Complaint;

3 WHEREAS, on May 17, 2007, this Court entered an Order dismissing plaintiffs'  
4 Consolidated Verified Shareholders Derivative Complaint;

5 WHEREAS, on June 29, 2007, plaintiffs filed an Amended Consolidated Verified  
6 Shareholders Derivative Complaint;

7 WHEREAS, on June 26, 2007, this Court entered an Order setting a briefing schedule in  
8 this action;

9 WHEREAS, pursuant to the June 26, 2007 Order, defendants filed motions to dismiss on  
10 July 31, 2007 and per this Court's subsequent Order, plaintiffs' opposition to the motions to  
11 dismiss was filed on September 5, 2007;

12 WHEREAS, on September 21, 2007 defendants' counsel sought plaintiffs' counsel's  
13 agreement to extend the date by which defendants must file their replies in support of their  
14 motions to dismiss to October 1, 2007; and

15 WHEREAS, plaintiffs' counsel indicated they do not object to an extension of time and  
16 the parties have agreed to a briefing schedule for defendants' reply briefs.

1  
2 THEREFORE, it is hereby stipulated and agreed by plaintiffs and defendants, through  
3 their respective counsel of record, as follows:

4 1) Defendants may file any reply briefs in support of their pending motions to  
5 dismiss by October 1, 2007; and

6 2) The hearing scheduled for October 12, 2007 at 9:00 a.m. will not be affected by  
7 this stipulation.

8 IT IS SO STIPULATED.

9  
10 DATED: September 24, 2007

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28 DATED: September 24, 2007

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*Filer's Attestation: Pursuant to General Order No. 45, Section X(B), Lee H. Rubin hereby  
attests that the signatories' concurrence in the filing of this document has been obtained.*

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**[PROPOSED] ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: \_\_\_\_\_

  
\_\_\_\_\_  
Judge Susan Illston